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| AMENDMENT TRANSMITTAL LETTER (Small Entity) Applicant(s): Fossel, Eric T. AUG 24 1998 | | | Docket No. FOS-104 | |
| Serial No. 08/932,227 | Filing Date September 17, 1997 | Examiner Mullis, J. | Group Art Unit 1711 | |

Invention: **TOPICAL DELIVERY OF L-ARGININE TO CAUSE BENEFICIAL EFFECTS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- ☐ A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED | | | | | |
|--|-------------------------------------|-----------------------------|--------------------------------|---------|-------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 28 - | 32 = | 0 x | \$11.00 | \$0.00 |
| INDEP. CLAIMS | 3 - | 3 = | 0 x | \$41.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-2127
A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

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Dated: August 21, 1998

Signature
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I certify that this document and fee is being deposited on August 21, 1998 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence
 Shelby J. Walker

Shelby J. Walker

Typed or Printed Name of Person Mailing Correspondence

CC:



#4/A
SP/198

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: FOSSEL, Eric Examiner: Mullis, J.

Serial No.: 08/932,227 Art Unit: 1711

Title: TOPICAL DELIVERY OF L-ARGININE TO CAUSE BENEFICIAL EFFECTS

Filed: September 17, 1997

Docket No.: FOS-104

Commissioner of Patents and Trademarks
Washington, D.C. 20231

AMENDMENT AND RESPONSE

Sir:

This is applicant's response to the Office Action mailed March 23, 1998. The three month shortened statutory period for responding expired June 23, 1998. Accordingly, a petition and the fee for a two month extension under 37 C.F.R. §1.136(a) is filed herewith. Please amend the application as follows:

In the Claims

Cancel claims 1-32

Add the following claims:

33. A method of delivering a nitric oxide releasing substance selected from a member of the group consisting of L-arginine, L-arginine salts and L-arginine derivatives, to skin comprising the step of topically applying to the skin a vehicle containing an effective amount of the substance, and a concentration of ionic

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